

Form 10. Bill of Costs(Rev. 1-1-05)

United States Court of Appeals for the Ninth Circuit

BILL OF COSTS

Note: If you wish to file a bill of costs, it MUST be submitted on this form and filed, with the clerk, with proof of service, within 14 days of the date of entry of judgment, and in accordance with 9th Circuit Rule 39-1. A late bill of costs must be accompanied by a motion showing good cause. Please refer to FRAP 39, 28 U.S.C. § 1920, and 9th Circuit Rule 39-1 when preparing your bill of costs.

United States of America

v.

Comprehensive Drug Testing, Inc.

9th Cir. No. 05-10067

The Clerk is requested to tax the following costs against: United States of America

Cost Taxable under FRAP 39, 28 U.S.C. § 1920, 9th Cir. R. 39-1	REQUESTED Each Column Must Be Completed				ALLOWED To Be Completed by the Clerk			
	No. of Docs.*	Pages per Doc.	Cost per Page**	TOTAL COST	No. of Docs.*	Pages per Doc.	Cost per Page**	TOTAL COST
Excerpt of Record	450	256	\$ 0.1	\$ 11,520			\$	\$
Opening Brief			\$	\$			\$	\$
Answering Brief	30	58	\$ 0.1	\$ 174			\$	\$
Reply Brief			\$	\$			\$	\$
Other			\$	\$ 546			\$	\$
TOTAL:				\$ 12,240	TOTAL:			

Form 10. Bill of Costs - Continued

Other: Any other requests must be accompanied by a statement explaining why the item(s) should be taxed pursuant to Circuit Rule 39-1. Additional items without such supporting statements will not be considered.

Attorneys fees **cannot** be requested on this form.

* If more than 7 excerpts or 20 briefs are requested, a statement explaining the excess number must be submitted.

** Costs per page may not exceed .10 or actual cost, whichever is less. Circuit Rule 39-1.

I, David J. Silbert, swear under penalty of perjury that the services for which costs are taxed were actually and necessarily performed, and that the requested costs were actually expended as listed.

Signature /s/David J. Silbert

Date Sep 9, 2009

Name of Counsel: David J. Silbert

Attorney for: Major League Baseball Players Association

(To Be Completed by the Clerk)

Date

Costs are taxed in the amount of \$

Clerk of Court

By:

, Deputy Clerk

EXHIBIT A

FILED

NOT FOR PUBLICATION

OCT 22 2008

UNITED STATES COURT OF APPEALS

**MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellant,

v.

**COMPREHENSIVE DRUG TESTING,
INC.,**

Defendant - Appellee.

No. 05-10067

D.C. No. MISC-04-234-SI

ORDER

**MAJOR LEAGUE BASEBALL
PLAYERS ASSOCIATION,**

Petitioner - Appellee,

v.

UNITED STATES OF AMERICA,

Respondent - Appellant.

No. 05-15006

D.C. No. CV-04-00707-JCM

**In re: SEARCH WARRANTS
EXECUTED ON APRIL 8, 2004 AT
CDT, INC.,**

No. 05-55354

D.C. No. CV-04-02887-FMC

SEAL 1,

Plaintiff - Appellant,

v.

SEAL 2,

Defendant - Appellee.

KOZINSKI, Chief Judge:

En banc oral argument will take place during the week of December 15, 2008, in Pasadena, California. The date and time will be set by separate order.

Within seven days from the date of this order, the parties shall forward to the Clerk of Court thirty additional copies of the original briefs and excerpts of record.

EXHIBIT B

Date	Invoice #
10/24/2008	24136

100 Pine St. Suite 620
San Francisco, Ca. 94111
(415) 421-6900
(415) 421-6901 Fax
Federal Tax ID# 20-1133890

Billing #	Contact
MLBPA	Aaron Madfes

QTY	Description	Rate	Amount
	Follow Detailed Special Instructions from Provided Index *** 30 SETS ***		
116,700	Litigation Copies	0.15	17,505.00T
	Insert Tabs into Copies		
2,010	Tabs Inserted	0.45	904.50T
	White Cardstock Covers		
480	GBC Binds	2.50	1,200.00T
16	GBC Re-binds	1.50	24.00T
	Insert Copies into Envelopes as Originals		
	Tape Cover Page & Seal		
480	Catalog Envelopes	0.75	360.00T
24	Labor Hours to assemble envelopes	65.00	1,560.00
	Due Monday 10/27/08 1:00 P.M.		
	THANK YOU FOR YOUR BUSINESS!!!		
	Sales Tax (8.5%)		\$1,699.45
Received By:	Total		\$23,252.95

TERMS: This invoice is due and payable within 10 days of invoice date and past due after 30 days. 18% per annum or minimum of \$10.00 will be charged on all overdue accounts. Your signature above is an agreement that the above described work has been authorized and received. In any action, proceeding or arbitration arising from the collection of monies due relative to this invoice, Golden State Legal Copy shall be entitled to reasonable attorney's fees and costs incurred.

EXHIBIT C



207 S. Broadway Avenue | 8th Floor | Los Angeles | CA 90012

KEKER & VAN NEST LLP
 633 BATTERY
 SAN FRANCISCO CA 94111
 415 391-5400

Nationwide Legal, Inc.
 For Billing Inquiries Call
 (213) 625-9100/Gonzalo Ponce
 Tax ID# 20-8284527

Invoice #	Customer #
301906	30116
	\$546.00
Invoice Date	Total Invoice

Cut here and return with payment

		Customer No	Invoice No	Period Ending	Amount Due	Page		
		30116	301906		\$546.00			
Date	Job No.	Svc. Type					Breakdown	Total
10/27/08	3034218	HTD	KEKER & VAN NEST LLP 633 BATTERY SAN FRANCISCO CA 94111 Reference: MLBPA			9CC US COURT OF APPEALS-SAN FRANCIS 95 SEVENTH STREET SAN FRANCISCO CA 94103	Base Chg : 48.00 Wait Time : 48.00 Weight : 450.00	
								\$546.00
								\$0.00
								\$0.00
								\$0.00
								\$0.00
							Total ▶	\$546.00

INVOICE PAYMENT DUE UPON RECEIPT